



Department of Justice

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FOR IMMEDIATE RELEASE
FRIDAY, JULY 14, 2006
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DAYTON BUSINESSMAN PLEADS GUILTY TO ENVIRONMENTAL CRIME

Illegally discharged waste oil polluted Great Miami River tributary

DAYTON – The owner and operator of Personal Touch Environmental Service, George Lee Flory, pled guilty in United States District Court here to knowingly discharging waste oil into a tributary of the Great Miami River.

Gregory G. Lockhart, United States Attorney for the Southern District of Ohio; Penelope A. Prochazka, Special Agent in Charge, U.S Environmental Protection Agency Criminal Division, Chicago area office; Joseph Koncelik, Director, Ohio Environmental Protection Agency; and John Monce, Superintendent, Bureau of Criminal Identification and Investigation, Office of Ohio Attorney General Jim Petro, announced the plea entered Wednesday before Senior U.S. District Judge Walter H. Rice.

Personal Touch Environmental Service (PTE), located at 2710 Vance Road, Dayton, specialized in the removal of waste oil from Dayton area residences and other sources, and the cleaning and removal of above-ground and underground tanks. Flore stored the waste oil in drums and storage tanks at the Vance Road property. PTE is bordered to the north by an unnamed tributary of the Great Miami River.

Charges were brought against Flore after an inspection in 2002 found large quantities of waste oil runoff, and spillage from storage tanks at PTE. Ohio EPA investigators also found releases of waste oil on the ground from a leaking 1000-gallon poly aboveground storage tank, and numerous 55-gallon drums which were leaking waste oil. Ohio EPA issued a civil Notice of Violation to Flory in April 2002.

On December 23, 2003, OEPA responded to a complaint alleging strong odors and contaminated run-off in a ditch coming from the PTE Property. Investigation revealed a sheen and white oily scum in the drainage ditch. Analysis by the U.S. Coast Guard (USCG) Marine

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Safety Laboratory of samples taken from the tributary and from the drainage ditch on the PTE property revealed that both samples came from products located on the PTE property.

From February 16, 2004 to June 9, 2004, the U.S. EPA Emergency Response Program conducted a clean-up of the PTE site to remove the oil drums and tanks, and contaminated soil and liquids that were the sources of the discharges of oil to the tributary. The total U.S. EPA cost for the clean-up was approximately \$211,624, of which \$170,840 was funded by the Oil Spill Liability Trust Fund, and the remainder was funded by the U.S. EPA. The USEPA removed and properly disposed of crushed empty oil drums and tanks, gallons of oil/water from tanks and drums and hazardous waste oil.

The plea agreement calls for Flory to pay restitution to the Coast Guard and the U.S. EPA for the cost of the clean up. Flory also faces up to three years imprisonment and a fine of \$50,000 a day. Judge Rice will determine the sentence and set a date for sentencing.

“Taxpayers should not have to foot the bill for cleaning up environmental messes people knowingly make,” Lockhart said. “I want to commend the cooperative investigation by the agents of the federal and state environmental protection and investigative agencies for their diligence in protecting our state’s natural resources.” Lockhart also commended Assistant U.S. Attorney Laura Clemmens, who prosecuted the case.

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